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**STATEMENT UNDER 37 CFR 3.73(b)**



Applicant/Patent Owner: Claude O. Clerc and Kimberly Ann Fischer

Application No./Patent No.: 10/024,920 Filed/Issue Date: 12/18/2001

Entitled: **METHOD AND APPARATUS FOR DELIVERING A STENT INTO A BODY LUMEN**

Linvatec Biomaterials, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012408, Frame 0402, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventors To: Bionx Implants, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 012408, Frame 0402, or for which a copy thereof is attached.
2. From: Bionx Implants, Inc. To: Linvatec Biomaterials, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
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3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
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[ ] Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

**[NOTE]:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

8.21.03

Date

Telephone number

Theodore Naccarella

Typed or printed name

Signature

Attorney

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): Claude O. Clerc and Kimberly Ann Fischer

Docket No.

25,417

Serial No.

10/024,920

Filing Date

12/18/2001

Examiner

Not Yet Assigned

Group Art Unit

3731

Invention: METHOD AND APPARATUS FOR DELIVERING A STENT INTO A BODY LUMEN

I hereby certify that this Statement Under 37 CFR 3.73(b)

(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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FEBRUARY 21, 2002

SYNNESTVEDT & LECHNER LLP  
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PHILADELPHIA, PA 19107

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RECORDATION DATE: 12/18/2001

REEL/FRAME: 012408/0402  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CLERC, CLAUDE O.

DOC DATE: 11/30/2001

ASSIGNOR:

FISCHER, KIMBERLY ANN

DOC DATE: 12/11/2001

ASSIGNEE:

BIONX IMPLANTS, INC.  
1777 SENTRY PARKWAY WEST  
BLUE BELL, PENNSYLVANIA 29422

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SERIAL NUMBER: 10024920

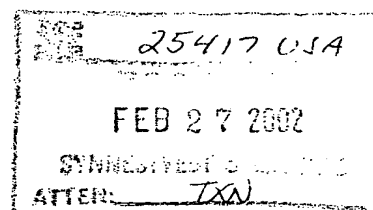
PATENT NUMBER:

FILING DATE: 12/18/2001

ISSUE DATE:

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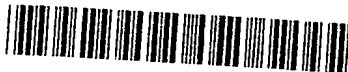
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Please record the attached Original 101932372 copy thereof.

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10/024920  
Jc979 U.S. PTO

1. Name of Party(ies) conveying an interest:  Claude O. Clerc Kimberly Ann Fischer  Additional name(s) of Parties attached? <u>No</u>	2. Name and Address of Party(ies) receiving an interest:  Bionx Implants, Inc. 1777 Sentry Parkway West Blue Bell, Pennsylvania 29422  Additional name(s) and address(es) of Parties attached? <u>No</u>
--	--

3. Description of interest conveyed: MRD 12/18/01  
☒ Assignment ☐ Change of name  
☐ Security Agreement ☐ Merger  
Other \_\_\_\_\_ Execution Date: November 30, 2001 and December 11, 2001

4. Application number(s) or patent number(s).  
Additional numbers attached? No  
If this document is being filed together with a new application, the execution date of the application is:
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TECHNOLOGY CENTER R3700

A. Patent Application No.(s) <u>10024920</u>	B. Patent No.(s)
5. Name and address of party to whom correspondence concerning documents should be mailed:  Theodore Naccarella Synnestvedt & Lechner LLP 2600 Aramark Tower 1101 Market Street Philadelphia, PA 19107	6. Number of applications and patents involved: <u>1</u>  7. Total Fee (37 C.F.R. § 3.41) <u>\$40.00</u>  Enclosed: <input checked="" type="checkbox"/> (Check No. ) Authorized to be charged: <input type="checkbox"/>  8. Deposit Account Number: Attach duplicate copy of this form if paying by deposit account.

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9. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.
Dated: 12.18.01
Theodore Naccarella  
Theodore Naccarella  
Registration No. 33,023

Total number of pages including cover sheet, attachments, and document: 3

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## **ASSIGNMENT AND AGREEMENT**

For value received, we, **Claude O. Clerc of Flemington**, in the County of **Hunterdon** and the State of **New Jersey** and **Kimberly Ann Fischer of Hatfield** in the county of **Montgomery** and the State of **Pennsylvania**; hereby sell, assign and transfer to **Bionx Implants, Inc.**, a corporation of the State of **Pennsylvania**, having an office at **1777 Sentry Parkway West, Blue Bell, Pennsylvania, 19422, U.S.A.**, and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **METHOD AND APPARATUS FOR DELIVERING A STENT INTO A BODY LUMEN** described in an application for Letters Patent of the United States, executed by us on even date herewith, and all the rights and privileges in our name and bearing the above noted title, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to **Bionx Implants, Inc.** the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize **Bionx Implants, Inc.** to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of **Bionx Implants, Inc.** to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to **Bionx Implants, Inc.** in the United States and in all countries foreign to the United States, or to such nominees as **Bionx Implants, Inc.** may designate.

We agree that, when requested, we shall, without charge to Bionx Implants, Inc. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

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Date: November 30, 2001

Claude O. Clerc  
Claude O. Clerc

Date: December 11, 2001

Kimberly Ann Fischer  
Kimberly Ann Fischer

C. Clerc  
December 14, 2001